

Sixth Appellate District

San Jose, California

MONDAY, NOVEMBER 19, 2007

H031794 In re ALICE M.; MONTEREY COUNTY DSES v. TAMMY L.

By the Court:

On the court's own motion, the submission order in the above-entitled matter dated November 8, 2007, is hereby vacated. The court by separate letter issued November 16, 2007, has requested supplemental briefing from the parties. The cause will be resubmitted upon completion of supplemental briefing.

Dated: November 19, 2007 Bamattre-Manoukian, Acting P.J.

The following case is submitted this date:

H030321 PEOPLE v. TRUJILLO

H031253 LOPEZ v. LOPEZ

The order granting the restraining order is affirmed. (not published)

(McAdams, J.; We concur: Mihara, Acting P.J., Duffy, J.)

Filed November 19, 2007

H028708 PEOPLE ROMERO

The judgment and sentence are again affirmed. The abstract of judgment is also modified to reflect that the restitution fund fine imposed under section 1202.4 is \$4,700 instead of \$4,800.

(not published)

(Duffy, J.; I concur: Bamattre-Manoukian, Acting P.J.; Dissenting opinion by McAdams, J.)

Filed November 19, 2007

H031336 VASSALLO v. NAYNA NETWORKS, INC.,

The order vacating the judgment against respondent Nayna Networks, Inc. is affirmed. (not published)

(Duffy, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed November 19, 2007

H030802 VARGAS v. COUNTRYWIDE HOME LOANS, et al.

The order is affirmed. Sanctions for a frivolous appeal are awarded against defendants and in favor of plaintiff in the amount of \$16,950. Costs on appeal are awarded to plaintiff.

(not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed November 19, 2007

H029431 PEOPLE v. MARQUEZ

Filed modification of opinion with no change in the judgment. (not published)

(Rushing, P.J., Premo, J., Elia, J.)

Filed November 19, 2007

Sixth Appellate District

San Jose, California

TUESDAY, NOVEMBER 20, 2007

H030942 PEOPLE v. MORFIN

By the Court*:

Appellant's petition for rehearing is denied.

Filed: November 20, 2007

*Before Rushing, P.J., Premo, J. and Elia, J.

H030839 WEST CLIFF LYNCH ASSOCIATES v. CITY OF SANTA CRUZ;
GUERRERO et al.

The trial court's order denying the petition for writ of mandamus is affirmed. (not published)

(Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)

Filed November 20, 2007

H030977 WEST CLIFF LYNCH ASSOCIATES v. CITY OF SANTA CRUZ;
OROZCO et al.

The trial court's order denying the petition for writ of mandamus is affirmed. (not published)

(Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)

Filed November 20, 2007

H031368 PEOPLE v. JESSERIAH W.

The dispositional order of March 20, 2007, is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed November 20, 2007

H031691 PEOPLE v. ANDRE L.

The dispositional order of May 30, 2007, is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed November 20, 2007

H031674 In re RITA Q.; DFCS v. DAVID R.

We affirm the order of April 25, 2007, terminating appellant's parental rights and freeing Rita for adoption (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed November 20, 2007

H031034 PEOPLE v. GUERRERO

The judgment is affirmed. (not published)

(Duffy, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)

Filed November 20, 2007

Sixth Appellate District

San Jose, California

Tuesday, November 20, 2007 (continued)

H031298 In re MICHAEL K.; DFCS v. KAREN H.

The juvenile court's orders denying Karen H.'s motion under Welfare and Institutions Code section 388 and ending her parental rights under Welfare and Institutions Code section 366.26 are affirmed. (not published)

(Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)

Filed November 20, 2007

H031620 PEOPLE v. REED

The judgment is affirmed. (not published)

(Duffy, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed November 20, 2007

WEDNESDAY, NOVEMBER 21, 2007

H031332 PEOPLE v. ELERICK

The judgment is affirmed. (not published)

(Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)

Filed November 21, 2007

H031049 TANIMURA & ANTLE, et al. v. WORKERS' COMPENSATION APPEALS BOARD and AVELINO LOPEZ

The Workers' Compensation Appeals Board's opinion and decision after reconsideration is annulled. The case is remanded to award Lopez compensation in accordance with the decision of the workers' compensation judge. The parties shall bear their own costs in the proceedings before this court. (not published)

(Duffy, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed November 21, 2007

H031081 PEOPLE v. DAX L.

The judgment of wardship is affirmed. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed November 21, 2007

H031144 PEOPLE v. NICHOLAS P.

The judgment of wardship is affirmed (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed November 21, 2007

H027516 PEOPLE v. TORRES

The judgment is reversed. The matter is remanded for resentencing under Penal Code section 1170, subdivision (b). (not published)

(Premo, Acting P.J.; We concur: Elia, J., Bamattre-Manoukian, J.)

Filed November 21, 2007